

REMARKS

Reconsideration of the application is requested.

Applicants acknowledge the Examiner's confirmation of receipt of applicants' certified copy of the priority document for the German Patent Application 100 32 257.3, filed July 3, 2000 supporting the claim for priority under 35 U.S.C. § 119.

Claims 1-24 are in the application. Claims 1-6 and 10 are subject to examination and claims 7-9 and 11-24 have been withdrawn from examination. Claims 1-6 and 10 have been amended.

In item 3 on page 2 of the above-identified Office Action, claims 1-6 and 10 have been rejected under 35 U.S.C. § 112, first paragraph as allegedly containing subject matter that was not described in the specification in such a way as to enable one skilled in art to make and/or use the invention.

More specifically, the Office Action states that it is unclear which devices are used for performing the steps of "forming a measured value for the reference voltage",
"forming an average value", and "setting the reference

voltage" as recited in claim 1, the step of "performing the varying step" as recited in claim 2, the step of "performing the switching and varying" as recited in claim 3, the step of

"incrementally varying the external comparison voltage" as recited in claim 4, and the steps of "incrementally varying the external comparison voltage" and "assuming the two switched states" as recited in claims 5 and 6, and all the steps as recited in claim 10.

In item 4 on page 3 of the above-identified Office Action, claims 1-6 and 10 have been rejected as being indefinite under 35 U.S.C. § 112, second paragraph.

More specifically, the Office Action states that it is unclear what "a software control" and "a set point voltage value" represent. Furthermore, the Office Action states that it is unclear what is meant by "buffering the voltage values present for each switched state of the commutator" Finally, the Office Action explains that the dependent claims share the same indefiniteness as they depend from rejected base claims.

The rejections have been noted and the claims have been amended in an effort to even more clearly define the invention of the instant application. Support for these clarifications and changes are based on the specification

text and the flowcharts of Fig. 2 and Fig. 4 of the instant application.

It is accordingly believed that the specification and the claims meet the requirements of 35 U.S.C. § 112, first and second paragraphs. The above-noted changes to the claims are provided solely for clarification or cosmetic reasons. The changes are neither provided for overcoming the prior art nor do they narrow the scope of the claim for any reason related to the statutory requirements for a patent.

Moreover, it is accordingly believed to be clear that none of the references made of record and not relied upon, whether taken alone or in any combination, either show or suggest the features of claims 1 or 10. Claims 1 and 10 are, therefore, believed to be patentable over the art. The dependent claims are believed to be patentable as well because they all are ultimately dependent on claim 1.

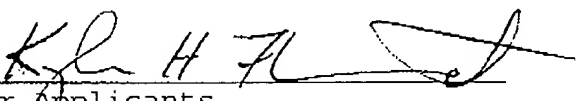
In view of the foregoing, reconsideration and allowance of claims 1-6 and 10 are solicited.

In the event the Examiner should still find any of the claims to be unpatentable, counsel would appreciate receiving a telephone call so that, if possible, patentable language can be worked out.

Petition for extension is herewith made. The extension fee for response within a period of two months pursuant to

Section 1.136(a) in the amount of \$410.00 in accordance with Section 1.17 is enclosed herewith. Please charge any other fees that might be due with respect to Sections 1.16 and 1.17 to the Deposit Account of Lerner and Greenberg, P.A., No. 12-1099.

Respectfully submitted,


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KHF:cgm

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